IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE
and
HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL No.1425 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 30/08/2004 in WVMP No.1 of 2004 and WPMP No.20322 of 2003 in W.P.No.16377 OF 2003 on the file of the High Court.)

Between:

The Sri Ram Mandir,
Jagtial, Karimnagar District,
rep. by its Person in Management,
P.Prasad.

.....
APPELLANT

AND

1. The Joint Collector,
Karimnagar District.

2. The Revenue Divisional Officer,
Jagtial, Karimnagar District.

3. The Mandal Revenue Officer,
Jagtial, Karimnagar District.

4. Sharabu Vishwanadham,
S/o Shiva Rama Krishnaiah
(died issueless)

5. Sharabu Chandramouli Shastry,

(died, his legal heirs shown as
respondents No.7 & 8)

6. Sharabu Venkateshwarlu,
S/o Gopal Ramaiah,
Brahmin Wada, Jagtial.

7. Sharabu Ram Gopal,
S/o late Chandramouli Shastry,
Durga Nursing Home, Jagtial,

8. Sharabu Venkata Ramana Sharma,
S/o late Chandramouli Shastry,
Manasa Nursing Home,
H.No.6-1-276/A-6, Near Sai baba Temple,
Padmarao Nagar, Secunderabad.

9. The Assistant Commissioner of Endowments,
Karimnagar District.

(R-9 is impleaded as per Court order dated 15-04-2004 in WPMP No.30716 of 2003.

.....RESPONDENTS

Counsel for the Appellant :Mr. A.SUDERSHAN REDDY

Counsel for Respondents 1 & 3: Govt. Pleader for Revenue

Counsel for Respondents 6 to 8: Mr. H.Venugopal

Counsel for Respondent No.9 : Govt. Pleader for Endowments

The Court made the following:

JUDGMENT: (Per Hon'ble the Chief Justice)

Vacate application was disposed by the impugned order thereby disposing of the application filed by the appellant also. There was status quo operating which was modified by the impugned order.

We have heard learned counsel for the parties. Since learned counsel for the appellant was absent, impugned order came to be passed in which, case of the appellant was not duly considered. Learned counsel for the appellant states that the appellant has got a very good case and had that been considered by the learned single Judge, there was no reason to modify the earlier order.

Without expressing any opinion on merits of the case, with the consent of the parties, we allow the appeal and set aside the impugned order with direction to hear and dispose of W.V.M.P.No.1 of 2004 and W.P.M.P.No.20322 of 2003 afresh by the learned single Judge in accordance with law.

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DEVINDER GUPTA, C.J.

B.SESHASAYANA REDDY, J

20-09-2004
bsc
To

1. The Joint Collector,
Karimnagar District.

2. The Revenue Divisional Officer,
Jagtial, Karimnagar District.

3. The Mandal Revenue Officer,
Jagtial, Karimnagar District.

4. The Assistant Commissioner of Endowments,
Karimnagar District.

5. 2 CCs each to Govt. Pleader for Revenue, & Govt. Pleader for Endowments, High Court buildings,
Hyderabad (OUT).

6. 2 CD copies